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Attorneys for Defendants  
 JULIAN EGGBRECHT, THOMAS ENGEL and  
 HOLGER SCHMIDT

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

JESSE HELTON; ALISHA PICCIRILLO;	)	No. C10-04927 SBA
CHAD LOWE; individually and on behalf of	)	
all others similarly situated,	)	
	)	<b>STIPULATION AND ORDER</b>
Plaintiff,	)	<b>THEREON SETTING HEARING AND</b>
	)	<b>BRIEFING SCHEDULE FOR</b>
vs.	)	<b>PLAINTIFFS' MOTION FOR</b>
	)	<b>SUMMARY ADJUDICATION OF FLSA</b>
FACTOR 5, INC.; FACTOR 5, LLC;	)	<b>CLAIMS.</b>
BLUHARVEST, LLC; WHITEHARVEST	)	
LLC; JULIAN EGGBRECHT; HOLGER	)	Prior Date: August 6, 2013
SCHMIDT; THOMAS ENGEL; and DOES	)	<b><u>New Date: August 27, 2013</u></b>
1-100,	)	Time: 1:00 p.m.
Defendants.	)	Ctrm.: 1, 4 <sup>th</sup> Floor
	)	Hon. Sandra B. Armstrong
	)	

The parties hereto, through their respective counsel, do hereby stipulate and agree as follows:

1. The current hearing date of August 6, 2013 for plaintiffs' Motion for Summary Adjudication of FLSA claims is vacated;
2. The plaintiffs' Motion for Summary Adjudication will be heard on August 27, 2013;

4. Any reply papers in support of plaintiffs' Motion for Summary Adjudication shall be filed and served no later than August 20, 2013.

**SO STIPULATED.**

DATED: June 21, 2013.

BARTLETT, LEADER-PICONE & YOUNG, LLP

BY: /s/ Malcolm Leader-Picone (SBN 104620)  
MALCOLM LEADER-PICONE  
Attorneys for Defendants  
JULIAN EGGBRECHT, THOMAS ENGEL and  
HOLGER SCHMIDT

Dated: June 21, 2013

**SMITH LILLIS PITHA LLP**

BY: /s/ James Smith (SBN 190050)  
**JAMES SMITH**  
Attorneys for Plaintiffs  
**JESSE HELTON, ALISHA PICCIRILLO, and**  
**CHAD LOWE**

Dated: June 21, 2013

**LAW OFFICES OF KEITH MCALLISTER**

BY: /s/ Keith McAllister (SBN 71857)  
 KEITH McALLISTER  
 Attorney for Defendants  
 BLUHARVEST, LLC; WHITEHARVEST LLC

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

JESSE HELTON; ALISHA PICCIRILLO;	)	No. C10-04927 SBA
CHAD LOWE; individually and on behalf of	)	
all others similarly situated,	)	
	)	<b>ORDER UPON STIPULATION</b>
Plaintiff,	)	<b>SETTING HEARING AND BRIEFING</b>
	)	<b>SCHEDULE FOR MOTIONS.</b>
vs.	)	
	)	
FACTOR 5, INC.; FACTOR 5, LLC;	)	
BLUHARVEST, LLC; WHITEHARVEST	)	
LLC; JULIAN EGGBRECHT; HOLGER	)	
SCHMIDT; THOMAS ENGEL; and DOES	)	
1-100,	)	
	)	
Defendants.	)	

**ORDER**

Based upon the Stipulation of the parties, through their respective counsel, the Court orders as follows:

1. The current hearing date of August 6, 2013 for plaintiffs' Motion for Summary Adjudication of FLSA claims is vacated;
2. The plaintiffs' Motion for Summary Adjudication will be heard on August 27, 2013;

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- 2 3. Any opposition to plaintiffs' Motion for Summary Adjudication shall be filed
- 3 and served no later than July <sup>12</sup>~~13~~, 2013; and,
- 4 4. Any reply papers in support of plaintiffs' Motion for Summary Adjudication
- 5 shall be filed and served no later than August <sup>13</sup>~~20~~, 2013.

6 DATED: 6/24/13.

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8 SAUNDRA BROWN ARMSTRONG  
9 U.S. DISTRICT COURT JUDGE